

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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(765) 423-9154 [FAX]
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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

February 25, 2020

Ref. No. 2020-074

Tippecanoe County Board of Commissioners
20 North 3rd Street
Lafayette, IN 47901

**SUBJECT: SUBDIVISION VARIANCE – S-4905–BELLE TERRA SUBDIVISION,
REVISED (MAJOR-PRELIMINARY PLAT)**

Dear Commissioners:

Please consider the following variance request for the subject subdivision at your next meeting (See also, the enclosed copy of Petitioner's letter to the Area Plan Commission and a reduced copy of the preliminary plat):

1. A variance to waive the requirement to extend new streets to the boundary lines of the subdivision per USO Section 5.3(1)(c)(v).

The subdivider's request before the Area Plan Commission is to replace the original 77 lot (and 2 outlots) preliminary plat approved July 18, 2018 (S-4755) on the same 27.64 acre tract located at the northwest corner of CR 600 N and CR 75 E, in Tippecanoe 20(SE)24-4. The new layout will be for 79 single-family lots and 3 outlots, including a community building/clubhouse.

This is the same variance request filed with the previously approved Belle Terra preliminary plat. At that time, the primary focus was the simultaneous development of another subdivision adjoining on the north (The Preserve, S-4767), and requiring a street connection between the two. The variance was approved to **not** make the street connection, but with a condition to require an emergency access road connection between the two subdivisions. The Preserve was approved with the same condition to make the emergency access road connection. APC staff acknowledges that a public street connection to the north for this revised Belle Terra preliminary plat is not realistic, since The Preserve is approved with no connecting public street.

Therefore, this variance can only apply to the west boundary. The land adjoining on the west (currently zoned A) is potentially developable with utilities being extended for this subdivision. A street extending to the west subdivision boundary is required by Unified Subdivision Ordinance (USO) Section 5.3(1)(c)(v):

Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Commission such extension is not necessary or desirable for the coordination of the layout or the most advantageous future development of adjacent tracts.

The subject tract is not prevented by topography or other physical conditions to extend a street to the west boundary line for future development of the adjacent property. The question then is whether or not the street extension is necessary or desirable for the coordination of the layout or the most advantageous future development of the adjacent tract. Same as last time, the new design has only one entrance (to CR 75 E) for the proposed 79 lots. A street connection between this subdivision and the developable 40+ acres to the west would address a potential safety issue by providing a second way in or out for emergency vehicles if the entrance to CR 75 E were every blocked. Practically speaking, street connections between developments also allow for internal school bus routes.

(Please use the enclosed VARIANCE DISPOSITION NOTICE to indicate the Board's action on this request.)

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Donald B. Lamb".

Donald B. Lamb
Senior Planner

cc: Whiskir LLC
Dan Teder, Reiling, Teder & Schrier
TBIRD Design Services Corp
Tippecanoe County Highway Executive Director



Engineering • Surveying • Environmental • Construction Management

TRANSMITTAL

To: Tippecanoe County Area Plan Commission
ATTN: Mr. Don Lamb
20 North 3rd Street
Lafayette, IN 47901

From: Justin R. Frazier, PE, PLS

Project: 18021 – Belle Terra Major Subdivision

CC:

Re: Preliminary Plat – Variance Request

Date: Friday, February 14, 2020

Mr. Lamb:

On behalf of our client and pursuant to Section 1 (1.12) of the Unified Subdivision Ordinance for Tippecanoe County, Indiana, I hereby request a variance from the requirement to extend proposed streets to the boundary lines of the tract to be subdivided as required per Section 5.3(1)(c)(v).

Sincerely,

Justin R. Frazier, PE, PLS

VARIANCE DISPOSITION NOTICE

SUBDIVISION: Belle Terra Subdivision, Revised
DEVELOPER: Whiskir LLC
REPRESENTATIVE: Dan Teder, Reiling, Teder & Schrier and TBIRD Design Services

The following variance request was presented to the Tippecanoe County Board of Commissioners on: _____ 20 ____.

1. A variance to waive the requirement to extend new streets to the boundary lines of the subdivision per USO Section 5.3(1)(c)(v).

It was the decision of the Board of Commissioners that:

Variance #1 was ☐ APPROVED
☐ DENIED

THE BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE

President, David Byers

Vice President, Tracy Brown

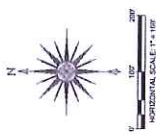
Thomas Murtaugh

Bob Plantenga, County Auditor

REFERENCE: COMMISSIONERS MINUTES BOOK _____ PAGE _____

cc: Whiskir LLC (PO Box 1071, Lafayette IN 47902)
Area Plan Commission
Tippecanoe County Highway Executive Director

BELLE TERRA SUBDIVISION
WHISKIR, LLC
PO BOX 1071
LAFAYETTE, INDIANA 47902

[illegible]

PRELIMINARY PLAT
BELLE TERRA SUBDIVISION
A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 20, TOWNSHIP 24 NORTH, RANGE 4 WEST, TIPPECANOE TOWNSHIP,
TIPPECANOE COUNTY, INDIANA

[illegible]

LAND SURVEYOR'S CERTIFICATE

The undersigned, a Registered Professional Land Surveyor of the State of Indiana, does hereby certify that the above preliminary plat was prepared under his direct supervision.

CERTIFIED BY:

Justin R. Truitt, Ph.D.
Date: 02/14/20

LAST INSTRUMENT CONVEYING TITLE TO SUBJECT PROPERTY

KEY NO.	75-45-24-450-016.000-017
DEPT RECORD	2019101719
GRANTOR	K.S. & Norma, LLC
GRANTEE	Wesley, LLC
DATE	October 15, 2019

SURVEY NOTE

This drawing does not represent a boundary survey of the property depicted. This plot has been prepared pursuant to Section 3.3 (Allyler Subdivision) and Section 6.3 (Major Preliminary Plan), of the Unified Subdivision Code of Tarrant County as amended, and is based on survey work prepared by C&S Surveying Job No. 16022, attached as Document 1a, 2013 H000501.

UTILITY INFORMATION

1. EXISTING SANITARY FACILITIES ARE LOCATED WEST OF THE PROPOSED DEVELOPMENT WITHIN WASHING CENTER SUPERFUND PROPERTY.
2. EXISTING WATER FACILITIES ARE LOCATED WEST OF THE PROPOSED DEVELOPMENT WITHIN WASHING CENTER SUPERFUND PROPERTY.



[illegible][illegible]

NOTES:

- ALL FRONT STRUTS ARE 20" UNLESS OTHERWISE INDICATED.
ALL REAR STRUTS ARE 16" UNLESS OTHERWISE INDICATED.
ALL REAR STRUTS ARE 21" UNLESS OTHERWISE INDICATED.
COURTIS A & B WILL BE REPLACED AS UTILITY AND DISBURGE
EASEMENT.
COURT C WILL BE USED FOR A CONCRETE
BASE.

CSZ 117
PO, P.O. Box 294022 LOS ANGELES
PO BOX 1638
LAFAYETTE, LA 70502

